

IV. Remarks and Conclusion

Applicant has preliminarily amended Claim 1 to recite:

“A pharmaceutical soft chew formulation comprising a flavoring component of between about 0.1 to about 50 percent, a starch component of between about 5.0 to about 60 percent, a sugar component of between about 5.0 to about 75 percent, an oil component of between about 1.0 to about 40 percent, and a first additive comprising an active ingredient wherein the moisture content is about 5.0 percent to about 7.5 percent. and wherein the soft chew is formed by knockout, wherein the soft chew is not an extrudate.”

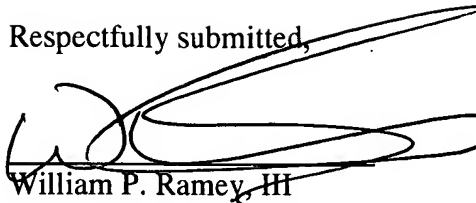
The amendment is believed to more clearly state what Applicant regards as his invention. The addition of the term “wherein” in the last element of the claim was to signify the importance of Applicant’s knockout procedure. The soft chews of Applicant’s invention are not formed by extrusion. Applicant’s soft chews are formed by knockout. Further, Applicant has added that the first additive is an active ingredient. Support for such amendment may be found on page 14, first paragraph. Such amendments are not believed to create any extoppel, as it was inherent from the specification.

Applicant requests the granting of a filing date, entry of this preliminary amendment and allowance of the Claims. If any fee is required or credit is due in this filing or any subsequent prosecution, the USPTO is hereby authorized to charge or credit deposit account 02-2334. The claims are believed in a Condition for allowance and such action is respectfully requested.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William P. Ramey, III', written over a horizontal line.

William P. Ramey, III
Attorney for Applicants
Registration No. 44,295

Akzo Nobel Pharma Patent Dept.
29160 Intervet Lane
P.O. Box 318
Millsboro, DE 19966
Tel: (302) 933-4034
Fax: (302) 934-4305